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Environment and sustainable development: Convention on Biological Diversity

Letter dated 5 November 1998 from the Permanent Representatives of Belgium and Costa Rica to the United Nations addressed to the Secretary-General

We have the honour to attach the text of the final document adopted at the conclusion of the International Conference on Sustainable Disarmament for Sustainable Development, held in Brussels on 12 and 13 October 1998 (see annex). The Conference had been convened at the joint initiative of Réginald Moreels, Belgian Secretary of State for Development Cooperation, and Oscar Arias, former President of Costa Rica and Nobel Prize winner.

We should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 71 (g), (j) and (m) and 94 (d).

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Annex

[Original: English, French and Spanish]

INTERNATIONAL CONFERENCE

SUSTAINABLE DISARMAMENT FOR SUSTAINABLE DEVELOPMENT

Brussels, 12-13 October 1998

THE BRUSSELS CALL FOR ACTION

The International Conference on 'Sustainable Disarmament for Sustainable Development' originates from the acknowledgement by all concerned actors that their efforts to respond to post-Cold War violent conflict have been confronted with two critical developments.

On the one hand the toll of human and material destruction in war-torn and conflict-prone areas is spiralling to such an extent that development resources are more and more diverted to emergency relief and rehabilitation operations. Worse, the growing number of intra-state conflicts destroys the development potential of affected communities and impedes the prospects for future sustainable development. Many actors in the field of development cooperation and humanitarian assistance have come to consider peacebuilding as a cornerstone of development cooperation strategies.

On the other hand there is an ever increasing international awareness of the need to tackle the proliferation and misuse of small arms and light weapons*, since these have become more prominent as major instruments in violent conflicts. They are used to commit the bulk of the killings and woundings, serious human rights abuses, banditry and crime, and destruction of infrastructures. Their widespread availability erodes negotiated peace settlements, prolongs conflicts and hampers conflict resolution and post-conflict reconstruction. In short, the widespread availability of light weapons and small arms perpetuates insecurity and instability, hereby undermining the basis for sustainable development.

The Conference welcomes recent initiatives by international, regional, national and local actors, both governmental and non-governmental from all regions of the industrialised and developing world, to control and reduce the flow and availability of small arms and light weapons. The Conference provides an opportunity for participants to share insights and experiences and to promote the recognition and a better understanding of the interaction between disarmament and sustainable development. It seeks to strengthen the existing momentum by issuing a "Call for Action" for the short and medium term, as a refence point for further action. Although every participant does not necessarily agree in detail with every element of this document, it is the outcome of extended consultations amongst participants and reflects a broad consensus amongst them.

* "Broadly speaking, 'small arms' are those weapons designed for personal use, and 'light weapons' are those designed for use by several persons serving as crew." (UN Secretary General's Report on Small Arms)

TOWARDS AN INTERNATIONAL PROGRAMME OF ACTION ON PRACTICAL DISARMAMENT AND PEACEBUILING

1. The Brussels Conference calls for an International Programme of Action on Practical Disarmament and Peacebuilding to combine in a comprehensive way efforts to effectively tackle proliferation of small arms and light weapons with initiatives to promote security and to build peace, particularly in regions of conflict, as prerequisites for sustainable development.

Such a programme for practical disarmament and peacebuilding needs to integrate measures to :

- combat illicit arms trafficking in all its aspects ;
- strengthen national legislation and controls with respect to the possession, use and transfer of small arms and light weapons, and promote restraint in international arms transfers ;
- ensure that weapons holding by defense and security forces do not exceed requirements for legitimate defense and security needs (as determined by appropriate legal authorities), as well as measures to secure, destroy or otherwise responsibly dispose of surplus stocks(*) and to prevent leakage and diversion of arms for illicit purposes;
- increase transparency and information exchange;
- integrate post-conflict demobilisation programmes with social and economic rehabilitation politics, in close partnership with relevant and regional actors;
- develop partnerships to assist and strengthen the capacity of countries in regions of conflict to monitor and control arms accumulations and flows in their territories;
- halt the abduction, recruitment and involvement of children in armed forces and militias, design programmes for their psycho-social recovery from their traumas and their reintegration in society;
- collect and destroy illegally possessed weapons, and
- promote post-conflict reconstruction and reconciliation in a stable and secure environment as a basis for sustainable development.

2. To these ends the Brussels Conference endorses the conclusions and recommendations of the UN Secretary-Generai's Report on Small Arms. It expresses its strong interest in the recommendation that an "International Conference on the Illicit Arms Trade in all its Aspects" be convened. The Conference looks forward to the results of the work of the follow-on UN Group of Governmental Experts on Small Arms. The Conference participants will promote concrete actions to be undertaken by the General Assembly in this respect.

The Conference welcomes recent initiatives by the United Nations to operationalize and integrate the approach to disarmament, security and development. It encourages the Secretary-General to provide assistance to Member States seeking the UN's help in weapons collection, demobilisation and reintegration.

(*) The phrase "surplus" weapons refers to arms stocks that are excessive, or surplus to requirements, as determined by legitimate authorities.

The Conference warmly endorses the « Elements Of Common Understanding » issued by the 21 participating governments at an international meeting on Small Arms in Oslo, July 13-14, 1998, as well as global and regional initiatives such as the EU Code of Conduct on Arms Exports, the EU Programme for Combating and Preventing Illicit Trafficking in Conventional Arms, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and their Component Parts. It urges all Governments to support these initiatives and similarly to support the proposed moratorium on the manufacture, export and import of light weapons in West Africa, and emerging regional initiatives such as those by the OAU and Southern African states.

A CALL FOR IMMEDIATE ACTION

3. While recognizing that such a International Programme of Action will take time to develop, the Brussels Conference calls upon all members of the International Community – both governmental and non-governmental – to take appropriate, timely and co-ordinated actions at national, regional and international levels in the following areas.

A CALL FOR CONCRETE MEASURES ON HUMAN SECURITY AND DEVELOPMENT

4. The Brussels Conference endorses the proportional and integrated approach to Security and Development. It thus encourages donors to adopt such a proportionate and integrated approach when providing assistance in conflictprone areas.
This approach involves the integration of appropriate security assistance with development and other cooperation programmes in the context of promoting good governance and respect for human rights.

Members of the donor community are urged to review their policies and mechanisms for cooperation, and to ensure that increased technical and financial resources are available to provide appropriate and timely assistance for such programmes. These programmes should seek to strengthen and build on indigenous capacities for conflict resolution and peacebuilding.

5. Thus, as armed conflicts come to an end, demobilization and disarmament measures should be combined with programmes to reintegrate former combatants and their dependents into the community, to guarantee security as well as to ensure that basic economic, social, health and cultural needs of affected communities are met.
The special short and long-term needs and rights of vulnerable groups in conflicts such as women and children have to be addressed, and women's full participation in post conflict society should be promoted.

6. Weapons collection programmes should be an integral part of peace agreements, demobilisation programmes and postconflict reconstruction. Mechanisms should be established to identify and promote best practice and ensure adequate resources for such programmes.
The Conference urges the rapid, reliable and transparent destruction or safe disposal of such collected arms.

In close partnership, the donor community should support government weapons collection and development programmes involving communities striving to remove weapons from circulation. Furthermore, schemes need to be developed – such as provision of technical assistance and the creation of appropriate linkages with aid and debt relief (e.g. debt/arms destruction swaps, or weapons collection linked with development projects) – to facilitate and increase incentives for the collection, destruction or secure disposal of all weapons stocks that are surplus to legitimate requirements.

7. In conflictprone areas, dynamic and representative social and political actors and institutions capable of managing change, maintaining law and order, and resolving conflict without resorting to violence or oppression need to be supported and developed to create an environment in which root causes of conflict can be addressed and structural stability can be established. Such stability is a prerequisite for sustainable development and often requires, within an environment of democratic reform and promoting respect for human rights, prioritising :

- reform and capacity building of the police and security forces, of the judicial and regulatory systems, of customs services and border controls, in accordance with agreed international standards;
- restructuring of armed forces under democratic control, and ensuring military expenditures and roles proportionate to legitimate security needs;
- improving transparency, information exchange, accountability and cooperation at national, regional and international level.

8. To promote a culture of peace, to counter the trivialisation of armed violence, to challenge the glorification of weapons, and to help resolve conflicts and disputes peacefully, public education and awareness programmes are of utmost importance. So also are initiatives aimed at restoring the social fabric, creating trust, between communities and legitimate police and security services, and creating a context for constructive dialogue involving all sectors of society.

In this context the Conference encourages all countries to take advantage of opportunities offered by the ***UN International Year of the Culture of Peace*** in the year 2000.

9. The Conference calls upon states that have not already done so, to adopt appropriate mechanisms for regulating the activities of non-governmental security actors such as private militias or mercenaries.

A CALL FOR MEASURES TO ADDRESS THE WIDESPREAD AVAILABILITY, TRANSFER AND DUES OF LIGHT WEAPONS AND SMALL ARMS (*)

10. National, regional and international regulations, policies and practices with respect to the possession and transfer of arms should be strengthened where appropriate to enhance international cooperation in combating the illicit arms manufacturing and trafficking.

(*) These measures are not aimed at banning appropriate possession and use of sporting weapons or self-defense firearms by individual citizens in strict accordance with national laws and regulations

11. Governments should take all appropriate and necessary measures to combat the illicit manufacturing of and trafficking in arms. The Conference accordingly supports the elaboration, in the context of a Transnational Organized Crime Convention, of a "legally binding international instrument to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition including, inter alia , effective methods of marking and tracing firearms, as well as the establishment and maintenance of an import and export and in-transit licensing or similar authorization regime for the international commercial transfer of fire arms."

Further international measures are also needed to enhance control over and restraint in the legal transfer of small arms and light weapons, as well as to combat illicit trafficking of such weapons not covered in the protocol to the Transnational Organized Crime Convention. Such measures should include : agreements to strengthen laws; develop transparency, information exchange and data collection arrangements; and establish marking and record keeping systems; as well as strengthen enforcement mechanisms.

States that have not already done so should develop and strictly enforce appropriate laws and regulations on civilian possession of weapons, in accordance for example with the May 1997 Resolution of the UN Commission on Crime Prevention and Criminal Justice on Measures to Regulate Firearms.

Governments should operate with restraint in international arms and ammunition transfers, and adopt codes of conduct to avoid transfers that undermine international or regional security or development, or pose a strong risk of being used in internal repression and human rights abuses. Governments should take measures to ensure that transfers of small arms and light weapons are restricted to legitimate actors, and to prevent diversion of arms for illicit purposes, for example by arms brokers. Further control measures should be considered, including, for some participants, specific restrictions on weapons of special concern such as high firepower weapons including shoulder fired missiles.

12. The international community should adopt a more systematic approach towards imposing arms embargoes are import-export moratoria in regions of violent conflicts or as a conflict prevention measure in regions where tensions are increasing. Where such embargoes exist measures have to be taken to ensure their strict implementation.

A CALL FOR CARE FOR VICTIMS

13. An integrated approach towards restoring peace and stability requires a commitment to attend to the trauma of the victims of conflict and widespread violence. Special attention must be given to the plight of women, disabled people, and children, especially where minors are abducted and forcibly integrated into armies and rebel forces.

In this respect the Conference calls upon all states and parties to armed conflicts to respect Article 38 of the UN Convention of the Rights of the Child which demands refraining from recruiting children into armed forces and other relevant international legal standards. The Conference welcomes any measure to raise the age-limit.

A CALL FOR FOLLOW-UP

14. In order to promote cooperation and to ensure effectiveness of measures to address these problems, the Conference calls for :

- the development of an agreed International Programme Of Action On Practical Disarmament and Peacebuilding;
- the recommendations and proposals of this Conference to be integrated in relevant agreements on conflict areas;
- work in the areas of security sector reform and appropriate military expenditures (e.g. within the OECD and relevant UN-bodies) to be developed;
- Governments with a capacity to do so to provide additional relevant technical and financial assistance to support the implementation of measures to address the problems associated with light arms proliferation such as the recently established UNDP Trust Fund in this area;
- further data collection and research on small arms proliferation and its impact, and research into innovative concepts for peacebuilding and practical disarmament;
- all governments concerned that have not already done so to integrate the respect for humanitarian law and for human rights into relevant national systems and international agreements relating to development and arms transfers, and to ensure implementation;
- regular exchange information on policies, measures and progress in the implementation and lessons learned, and to hold follow-up meetings to review such information and develop co-ordinated actions in the priority areas.

15. The Conference requests this Call for Action to be brought to the attention of the UN General Assembly and the UN Secretary-General.